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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1610 OF 2007

Salim K. Keshwani and another Petitioners
versus
State of Maharashtra and others Respondents

Mr.U.L.Shah for petitioners.

Mr.Vijay Patil for respondents 5 to 9.

Mr.Ivon D'Cruz i/by M/s.Mehta & Girdharlal for respondent no.10.

CORAM : A.S.OKA, J.

DATE : 17th April 2007

PC :

1. Not on board. Taken on board. Heard learned advocates for the parties.

2. The present writ petition under Article 227 of the Constitution of India is filed by the intervenors in an appeal filed by fifth to ninth respondents herein. The challenge is to the order dated 12th February 2007 passed by the appellate authority thereby granting interim relief pending final disposal of the appeal.

3. The learned counsel appearing for the petitioners submitted that by way of an interim relief the appellate authority has directed the parties to maintain status-quo and the said order is misinterpreted by the appellants in the appeal as the persons who are disqualified are operating the bank account/s. Same is the contention raised by fifth to ninth respondents who are appellants in the appeal. It is stated that the next date for hearing of the appeal is 26th April 2007.

4. Considering the nature of the controversy, it will be in the interest of justice if the appeal is ordered to be disposed of within the time fixed by this Court. In the meanwhile, both the parties will be free to seek clarification of the order of the interim relief.

5. Hence, the writ petition is disposed of by passing following order :-

(a) The appellate authority will decide the Appeal No.16 of 2007 as expeditiously as possible and in any event on or before the expiry of period of three months from today;

MST

(b) In the meanwhile both the parties are at liberty to apply for modification/ clarification of the interim order dated 12th February 2007;

(c) All contentions of the parties in the pending appeal are expressly kept open;

(d) Parties and all concerned to act on an ordinary copy of this order duly authenticated by the Registry of this Court.

(A.S.OKA, J.)